

DTOS Rec'd PCT/PTO

MAR 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Tempst and Gembitsky

FILED: July 20, 2004

SERIAL NO.: 10/521,712

FOR: Protein Micro-Arrays and Multi-  
Layered Affinity Interaction

§ ART UNIT:

§

§

§

§

§

§ DOCKET

§ D6424


Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C 371 AND CERTIFICATE OF MAILING UNDER 37 CFR 1.8

Dear Sir:

In response to a Notification of Missing Requirements under 35 U.S.C. 371 mailed February 25, 2005 for the above-referenced patent application, Applicants submit herewith the signed Combined Declarations and Powers of Attorney. Applicants enclose herewith a copy of the formalities letter. Please charge the \$65 fee to the credit card indicated on the attached form PTO-2038. In the absence of form PTO-2038 please debit any fees due from Deposit Account 07-1185 on which the undersigned is allowed to draw.

I hereby certify under 37 CFR 1.8 that this Response and the following correspondence are being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Please return the enclosed postcard acknowledging receipt of this correspondence.

Respectfully submitted,

DATE: 3/8/05  
ADLER & ASSOCIATES  
8011 Candle Lane  
Houston, Texas 77071  
713/270-5391  
BADLER1@houston.rr.com  
Benjamin Aaron Adler, Ph.D., J.D.  
Counsel for Applicant  
Registration No. 35,423

PCT/\$



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/521,712	Paul Tempst	D6424PCT

INTERNATIONAL APPLICATION NO.

PCT/US02/33917

I.A. FILING DATE

PRIORITY DATE

10/23/2001

Benjamin Aaron Adler  
 Adler & Associates  
 8011 Candle Lane  
 Houston, TX 77071

CONFIRMATION NO. 4712

371 FORMALITIES LETTER



\*OC000000015259349\*

Date Mailed: 02/25/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/19/2005
- Copy of the International Search Report filed on 01/19/2005
- Small Entity Statement filed on 01/19/2005
- U.S. Basic National Fees filed on 01/19/2005

03/16/2005 SNAJARRO 00000103 10521712

01 FC:2617

65.00 DP

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)



A copy of this notice **MUST** be returned with the response.

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,712	PCT/US02/33917	D6424PCT

FORM PCT/DO/EO/905 (371 Formalities Notice)